

# DO NOT BIND INTO PROJECT MANUAL

## ATTENTION BIDDERS

To ensure that your bids are acceptable to the awarding authority and DHCD, and are not rejected due to mistakes, we are providing this Checklist for your convenience.

## GENERAL BIDDERS

- ? 1. Have you used the appropriate bid form provided for this specific development?
- ? 2. Have you properly identified the trade, development, architect, etc., on your bid form?
- ? 3. Do your bid amounts, as expressed in figures and words, coincide? The amount expressed in words shall control.
- ? 4. Have you added any information not called for, or acknowledged an addendum or alternate that does not exist, which would make your bid conditional or obscure, and lead to a bid protest?
- ? 5. Is your Bid Form **SIGNED** and dated?
- 6. **Bid Deposits**
  - ? a. Is your bid deposit, if in the form of a bid bond, issued from a bonding company licensed to do business in the Commonwealth of Massachusetts?
  - ? b. **Is it signed by you and the bonding company?**
  - ? c. Is your bid deposit made payable to the **Housing Authority? Bid deposits made payable to the city, town, commonwealth, or architect will cause the bid to be rejected.**
  - ? d. Is your bid deposit at least five (5%) of the largest possible bid amount, considering all alternates?  
**PASSBOOKS, LETTERS OF CREDIT, AND DEEDS TO PROPERTY ARE NOT ACCEPTABLE AS A BID DEPOSIT.**
- ? 7. Have you acknowledged every alternate?
- ? 8. If an alternate price is requested and you estimate that there is no change in price, did you indicate by writing **"no change", "N/C" or "0"**?

**LEAVING THIS SPACE BLANK, ON YOUR BID FORM, WHEN ALTERNATES ARE REQUESTED MAY LEAD TO REJECTION OF YOUR BID.**

- ? 9. Have you acknowledged all addenda issued, and followed the instructions contained therein?

**This checklist is provided as guidance and assistance to bidders to avoid technical mistakes resulting in rejection of a bid.**

**This in no way changes, affects, or supersedes the provisions set-forth in M.G.L. c.149 §44A-J or any other sections or provisions contained in the contract documents.**

# PROJECT MANUAL

## MODERNIZATION OF STATE AIDED PUBLIC HOUSING

STATE-AIDED PROJECT:  
**TOWN**, MASSACHUSETTS

Massachusetts Department of  
*Housing and Community Development*



### **TOWN** HOUSING AUTHORITY

Address

Phone: Number

FAX: Number

XXXXXXXXXXXXXXXXXX, Chairman

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

Executive Director

#### Architect

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

#### Mechanical Engineer

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

#### Structural Engineer

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

#### Electrical Engineer

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

#### Specifications

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

#### Landscape Architect

(Name)

(Address)

(State, Zip Code)

(Telephone ( ))(\*\*\*-\*\*\*\*)

(FAX #)

Email

DATE

YOU WILL FIND THIS FORM BACK ON THE MAIN PAGE.  
CLICK YOUR BACK BUTTON ONCE AND SELECT

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# ADVERTISEMENT

The **ROW Housing Authority**, the Awarding Authority, invites sealed bids from Roofing Contractors for the Re-shingling of Housing for the **Row Housing Authority** in **Row** Massachusetts, in accordance with the documents prepared by **insert name of Architect Engineer??**

The Project consists of: **Project Description such as Re-shingling of 4 Existing 1 story buildings and 1 garage – this work includes stripping and proper disposal of existing asphalt shingles and existing aluminum gutters and downspouts**

The work is estimated to cost \$ **88,000**

Bids are subject to M.G.L. c.149 §44A-J and to minimum wage rates as required by M.G.L. c.149 §26 to 27H inclusive.

General Bids will be received until 2:00 p.m. **Insert Date** and publicly opened, forthwith.

Mailed Bids should be sent to and received no later than the date & time specified above at then following address

**Row Housing Authority  
112 Holyoke St  
Row, MA 01027.**

General bids shall be accompanied by a bid deposit that is not less than five (5%) of the greatest possible bid amount (considering all alternates), and made payable to the **Row Housing Authority**.

Bid Forms and Contract Documents will be available for pick-up after **Insert Date** at:

**Row Housing Authority  
112 Holyoke St  
Row, MA 01027**

Bidders may receive 1 set of Bid Documents at no charge. Additional sets may be purchased for \$ **25** per set.

Bidders requesting Contract Documents to be mailed to them shall include a separate check for \$ **25** per set, payable to the Awarding Authority, to cover mail handling costs.

The job site and/or existing building will be available for inspection between **9:00 AM** a.m. and **4:00 PM** p.m. starting **Insert Date**. For an appointment call **insert name of Contact @ Insert Phone Number**

## **REMOVE OR MODIFY THIS PARAGRAPH WHEN APPROPRIATE**

General bidders must agree to contract with minority and women-owned businesses as certified by the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation which shall be reserved for such enterprises shall not be less than seventeen (**17%**) percent of the final contract price, including accepted alternates, of which at least twelve (**12%**) percent shall be for minority business enterprises and five (**5%**) percent shall be reserved for women-owned business enterprises.

The Contract Documents may be seen, but not removed at:

Project Dog  
18 Graf Road Suite #2  
Newburyport, MA 01950

McGraw Hill Construction  
24 Hartwell Ave.  
Lexington, MA 02421

# **INSTRUCTIONS TO BIDDERS**

## **Building Projects \$25,000-\$100,000**

### **ARTICLE 1 - BIDDER'S REPRESENTATION**

- 1.1** Each General Bidder (hereinafter called the "**Bidder**") by making a bid (hereinafter called "**bid**") represents that:
- .1** The Bidder has read and understands the Contract Documents and the bid is made in accordance therewith.
  - .2** The Bidder has visited the site and is familiar with the local conditions under which the Work has to be performed.
- 1.2** Failure to so examine the Contract Documents and site will not relieve any Bidder from any obligation under the bid as submitted.

### **ARTICLE 2 CONTRACTOR'S CERTIFICATION OSHA SAFETY TRAINING**

**Be advised that a new Massachusetts law has been enacted that requires all employees who work on Massachusetts public works construction sites must have no less than 10 hours of OSHA-approved safety and health training. See Chapter 306 of the Acts of 2004, which will become effective July 1, 2006.**

- 2.1.** This requirement will apply to any general bid or sub bid submitted on or after July 1, 2006 and to any contract awarded on or after July 1, 2006.
- 2.2.** This law directs the Massachusetts Attorney General to restrain the award of construction contracts to any contractor who is in violation to this requirement and to restrain the performance of these contracts by non-complying contractors.
- 2.3.** The Contractor and all subcontractors on this project will be required to provided certification of this compliance with this requirement in accordance with the provisions of Section 01100 of these Contract Documents. Non-compliance with this new Massachusetts Law will disqualify you from bidding on public contracts.

### **ARTICLE 3 - REQUESTS FOR INTERPRETATION**

- 3.1** Bidders shall promptly notify the Architect of any ambiguity, inconsistency, or error, which they may discover upon examination of the Contract Documents, the site, and local conditions.
- 3.2** Bidders requiring clarification or interpretation of the Contract Documents shall make a written request to the Architect. The Architect will answer such requests if received seven (7) calendar days before the date for receipt of the bids.
- 3.3** Interpretation, correction, or change in the Contract Documents will be made by written Addendum, which will become part of the Contract Documents. Neither the Housing Authority nor the Architect will be held accountable for any oral interpretations, corrections, or changes.
- 3.4** Addenda will be mailed by the Architect by U.S Postal Service, certificate of mailing, to every individual or firm on record as having taken a set of Contract Documents.
- 3.5** Copies of addenda will be made available for inspection at the locations listed in the Advertisement where Contract Documents are on file.

## ARTICLE 4 – MBE/WBE PARTICIPATION

- 4.1 Refer to the Advertisement for applicability of Article 4.
- 4.2 The minimum percentage that must be contracted with minority-owned and women-owned businesses is stated in the Advertisement.
- 4.3 The apparent low Bidder must submit the SOMWBA Certified Enterprise Participation Schedule and Letters of Intent from all of the firms listed on the Schedule within five (5) working days after receipt of bids. The Housing Authority and the Department may, at their discretion, grant an extension of time to submit these documents, if deemed to be appropriate and in the public interest to do so. Submit the completed Participation Schedule and Letters of Intent to: (with a copy to the Housing Authority)

**Department of Housing and Community Development  
DHCD-Legal Office/MBE Coordinator  
100 Cambridge St Suite 300  
Boston, MA 02114**

**ATTENTION: MBE/WBE Participation for (project name).**

- 4.4 The Bidder must submit prior to, and as a condition of Contract approval, signed subcontracts with all subcontractors or a purchase order or invoice from material suppliers or manufacturers listed on the Participation Schedule.

## ARTICLE 5 - PREPARATION AND SUBMISSION OF BIDS

- 5.1 Bids shall be submitted on the "**Form for General Bid**" furnished at no cost by the Housing Authority. The forms enclosed in the Project Manual shall not be extracted or used. Additional forms are available at the location listed in the Advertisement.
- 5.2 All entries on the bid form shall be made by typewriter or in ink.
- 5.3 Where so indicated on the bid form, sums shall be expressed in both words and figures. Where there is a discrepancy between the bid sum expressed in words and the bid sum expressed in figures, the words shall control.
- 5.4 Bid Deposits shall be:
- .1 at least five percent (5%) of the greatest possible bid amount, considering all alternates;
  - .2 made payable to the **Housing Authority**;
  - .3 conditioned upon faithful performance by the principal of the agreements contained in the bid, and
  - .4 in the form of:
    - a. cash,
    - b. certified check, treasurer's or cashier's check issued by a responsible bank or trust company, or
    - c. a bid bond issued by a surety company licensed to do business in the Commonwealth of Massachusetts.
- 5.5 Bid deposits of the three (3) lowest responsible and eligible General Bidders shall be retained until the execution and delivery of the Owner/Contractor Agreement.
- 5.6 The General Bid Form and the bid deposit shall be enclosed in a sealed envelop with the following plainly marked on the outside:
- General Bid for:**
- **Housing Authority State-Aided Project No.**
  - **Bidder's Name, Business Address, and Phone Number**
- 5.7 Date and time for receipt of bids is set forth in the Advertisement.
- 5.8 Timely delivery of a bid to the location designated shall be the full responsibility of the Bidder.

## ARTICLE 6 - ALTERNATES

- 6.1 Each General Bidder shall acknowledge Alternates in Section C on the Form for General Bid by entering the dollar amount of addition or subtraction necessitated by the Alternate.
- 6.2 In the event an Alternate does not involve a change in the amount of the base bid, the Bidder shall so indicate by writing "**No Change**", or "**N/C**" or "**0**" in the space provided for that Alternate.

- 6.4 General Bidders shall enter on the Form for General Bid a single amount for each Alternate which shall consist of the amount for work performed as a result of the alternate.
- 6.5 The low Bidder will be determined on the basis of the sum of the base bid and the accepted alternates.

## **ARTICLE 7 - WITHDRAWAL OF BIDS**

### **7.1 Before Opening of Bids**

- 7.1.1 Any bid may be withdrawn prior to the time designated for receipt of bids upon written request. Withdrawal of bids must be confirmed over the Bidder's signature by written notice post-marked or sent by facsimile on or before the date and time set for receipt of bids.
- 7.1.2 Withdrawn bids may be resubmitted up to the time designated for the receipt of bids.

### **7.2 After Opening of Bids**

- 7.2.1 Bidders may withdraw a bid, without penalty, any time up to the time of Award as defined in paragraph 8.1, and upon demonstrating, to the satisfaction of the Housing Authority, that a bona fide clerical error was made during the preparation of the bid. Failure to conclusively demonstrate a bona fide clerical error may result in forfeiture of the bid deposit.

## **ARTICLE 8 - CONTRACT AWARD**

- 8.1 **Award** means both the determination and selection of the lowest, responsible and eligible bidder, by Housing Authority board vote.
- 8.2 The Housing Authority will award the contract to the lowest responsible and eligible bidder within thirty days, Saturdays, Sundays, and legal holidays excluded after the opening of bids in accordance with M.G.L. c.149 §44A.
- 8.3 The award of this Contract is subject to the approval of the Director of the Commonwealth of Massachusetts, Department of Housing and Community Development.(DHCD). Contracts without DHCD approval shall not be considered valid.
- 8.4 The Housing Authority reserves the right to waive any informalities in or to reject any or all Bids if it be in the public interest to do so.
- 8.5 As used herein, the term "lowest responsible and eligible bidder" shall mean the General Bidder whose bid is the lowest of those Bidders demonstrably possessing the skill, ability, and integrity necessary for the faithful performance of the work, and who meets the requirements for Bidders set forth in M.G.L. c.149 §44A-J and is not debarred from bidding under M.G.L. c.149 §44C; and who shall certify that they are able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

## **ARTICLE 9 - FORMS REQUIRED FOR CONTRACT APPROVAL**

- 9.1 Upon Award, the General Bidder shall complete the following forms to ensure prompt contract validation. These forms will be provided to the selected General Bidder by DHCD. Submit (3) originals of each.
- 9.2 **Owner/Contractor Agreement and Form of Corporate Vote.**
- 9.3 **Form of Contractor's Equal Employment Certification in accordance with Article 14 of the General Conditions.**
- 9.4 **Form of Performance Bond and Form of Payment Bond** must be submitted by the General Contractor on DHCD's form, in accordance with the General Conditions. The dates on the bonds must coincide with the contract date, and a current Power-of-Attorney must be attached to each bond.
- 9.5. **Insurance Certificates** for the General Contractor are required and must be submitted in accordance with the General Conditions.
- 9.5.1 General Contractors must indicate on special perils insurance or installation floater if stored materials are covered.

## **ARTICLE 9 - CONTRACT VALIDATION**

- 9.1** The Owner-Contractor Agreement shall not be valid until signed by the Director of DHCD.
- 9.2** The Notice to Proceed for construction shall not be issued until the Owner/Contractor Agreement has been validated by the Director of DHCD.
- 9.3** Incomplete or unacceptable submissions of forms required by paragraphs 8.2 - 8.5 will delay the validation of the Owner/Contractor Agreement by DHCD.

**END OF SECTION**



# FORM OF GENERAL BID

\$25,000 - \$100,000

## TO THE AWARDING AUTHORITY

- A. The undersigned proposes to furnish all labor and materials required for \_\_\_\_\_ for the  
\_\_\_\_\_ HOUSING AUTHORITY in \_\_\_\_\_ Massachusetts  
in accordance with Contract Documents prepared by \_\_\_\_\_  
For the contract price specified below, subject additions and deductions according to the terms of the specifications

- B. This bid includes addenda number(s) \_\_\_\_\_

- C. The proposed contract price is:

Bid Amount in Words		Dollars \$	Bid Amount in Numbers
For Alternate	No. _____	Add \$ _____	Subtract \$ _____
	No. _____	\$ _____	\$ _____
	No. _____	\$ _____	\$ _____

### Each Alternate shall be listed separately

- D. The undersigned agrees that, if selected as general contractor, we will within five days, Saturdays, Sundays, and legal holidays excluded, after presentation thereof by the awarding authority, execute a contract in accordance with the terms of this bid and furnish a performance bond and also a labor and materials or payment bond, each of a surety company qualified to do business under the laws of the Commonwealth and satisfactory to the awarding authority and each in the sum of the contract price, the premiums for which are to be paid by the general contractor and are included in the contract price.

The undersigned hereby certifies that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work; that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration at the time the employee begins work and who shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and that he will comply fully with all laws and regulations applicable to awards made subject to section 44A. ***The safety training requirement in this paragraph is effective July 1, 2006.***

The undersigned further certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean natural person, joint venture, partnership, corporation or other business or legal entity. The undersigned further certifies under penalty of perjury that the said undersigned is not presently debarred from doing public construction work in the Commonwealth under the provisions of section twenty-nine F of chapter twenty-nine, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

Signature 

Date: \_\_\_\_\_

\_\_\_\_\_  
Name of General Bidder

BY:

\_\_\_\_\_  
Signature & Title of person signing bid

\_\_\_\_\_  
Business Address

\_\_\_\_\_  
(City and State)

Note: If the bidder is a corporation, indicate state of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses of partners if different from business addresses.

## BIDDERS REFERENCE FORM

Bidders Name: \_\_\_\_\_

LHA/Project Title: \_\_\_\_\_

The bidder must provide five (5) business references for projects performed & completed within the past five (5) years. (attach additional pages if necessary)

(1) Reference Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Description and date(s) of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(2) Reference Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Description and date(s) of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(3) Reference Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Description and date(s) of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4) Reference Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Description and date(s) of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(5) Reference Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Description and date(s) of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

References will be contacted to confirm the bidder's skills, abilities and qualifications to faithfully perform the work as specified.

# OWNER-CONTRACTOR AGREEMENT

Commonwealth of Massachusetts  
Department of Housing and Community Development

This agreement made the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ by and between \_\_\_\_\_ Housing Authority hereinafter called the "Owner", and \_\_\_\_\_ hereinafter called the "Contractor"

\_\_\_\_\_  
CONTRACTOR'S NAME

Witnesseth, that the Owner and the Contractor, for the consideration hereinunder named, agree as follows

**Article 1. Scope of Work:** The Contractor shall perform all Work required by the Contract Documents for \_\_\_\_\_ t prepared by the \_\_\_\_\_ acting as and referred to in the Contract Documents as the "Architect".

**Article 2. Time of Completion:** The Contractor shall commence work under this Contract on the date specified in the written "Notice to Proceed" and shall bring the Work to Substantial Completion within **DAYS** calendar days of said date. Damages for delays in the performance of the Work shall be in accordance with Article 9 of the General Conditions of the Contract.

**Article 3. Contract Sum:** The Owner shall pay the Contractor, in current funds, for the performance of the Work, subject to additions and deductions by Change Order, of the Contract Sum of:

dollars \$

\_\_\_\_\_  
CONTRACT SUM IN WORDS

\_\_\_\_\_  
CONTRACT SUM IN NUMBERS

**Article 4. The Contract Documents:** The following, together with this Agreement, form the Contract and all are as fully a part of the contract as if attached to this Agreement or repeated herein: The Advertisement, Bidding Documents, Contract Forms, Conditions of the Contract, and Specifications as enumerated in the Table of Contents, the drawings as enumerated in the List of Contract Drawings, DHCD publication known as the Construction Handbook, and all Modifications issued after execution of the Contract. Terms used in this Agreement which are defined in the Conditions of the Contract shall have the meanings designated in those Conditions.

**Article 5. Alternates:** The following Alternates have been accepted and their costs are included in the Contract Sum stated in Article 3 of this Agreement: # Alternate No(s): ## and

**Article 6. REAP Certification:** Pursuant to M.G.L. c.62(c), sec.49(a), the individual signing this Contract on behalf of the Contractor, hereby certifies, under the penalties of perjury, that to the best of their knowledge and belief the Contractor has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support

**Article 7. Validation:** This Contract will not be valid until signed by the Director of the Massachusetts Department of Housing and Community Development.

*In Witness Whereof, the Parties Hereto Have Caused This Instrument to be Executed Under Seal.*

<sup>1</sup> **CONTRACTOR**

<sup>2</sup> **AWARDING AUTHORITY**

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Name of Housing Authority

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature and Seal

By:

\_\_\_\_\_  
Signature and Seal

\_\_\_\_\_  
Title

Witness

Attest:

<sup>1</sup> If a Corporation, attach a notarized copy of the Corporate Vote authorizing signatory to sign Contract.

<sup>2</sup> If signed by someone other than a Housing Authority Board member, attach a copy of Certified Board Vote authorizing the signatory to sign Contract.

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

In accordance with M.G.L. c.121B, and Revisions thereto.

\_\_\_\_\_  
Director

\_\_\_\_\_  
Date

# CERTIFICATE OF VOTE OF AUTHORIZATION

\_\_\_\_\_ 200 \_\_\_\_\_

**I hereby certify** that a meeting of the Board of Directors of the:

\_\_\_\_\_  
NAME OF CORPORATION

duly called and held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 200 \_\_\_\_\_

At which a quorum was present and acting, it was voted that \_\_\_\_\_

\_\_\_\_\_  
Name of Corporate Officer

of the \_\_\_\_\_, be and hereby is authorized to execute and deliver for

and on behalf of the Corporation a Contract with \_\_\_\_\_ Housing Authority, for  
work to be done at State-Aided Housing Project No. \_\_\_\_\_ In the City/Town of \_\_\_\_\_

And to act as principal to execute bonds in connection therewith, which Contract and Bonds were  
presented to and made part of the records of said meeting.

I further certify that \_\_\_\_\_ Is duly qualified and acting  
\_\_\_\_\_  
Name of Corporate Officer

\_\_\_\_\_ of the Corporation and that said vote has not been

\_\_\_\_\_  
Title

Repealed, rescinded or amended

**A true copy of the record,**

**ATTEST:**

(CORPORATE SEAL)

On this \_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_, before me, the undersigned Notary Public, personally  
appeared \_\_\_\_\_, duly designated by the board of directors and proved to  
me, through satisfactory evidence of identification, which was \_\_\_\_\_, that s/he is  
the person whose name is signed on the foregoing documents, and acknowledged to me that s/he  
signed it voluntarily for its stated purpose and that it was her/his free act and deed.

\_\_\_\_\_  
Notary Public

My Commission Expires:

# FORM OF CONTRACTOR'S EQUAL EMPLOYMENT CERTIFICATION

Commonwealth of Massachusetts

Department of Housing and Community Development

---

This form must be completed and submitted by the Contractor prior to the signing of the Owner-Contractor Agreement.

## This certifies that:

---

Contractor

---

Street Address

---

City/State/Zip Code

1. Intends to use the following listed construction trades in the work under this contract:

---

---

---

---

---

---

2. Will comply with the minority manpower ratio and specific affirmative action steps contained in Article 14 of the Conditions of this Contract; and
3. Will obtain similar certifications from each of its subcontractors and submit to the Owner prior to the award of any subcontract under this contract the subcontractor's certification.

---

Signature of Authorized Representative of Contractor

---

Name and Title

---

Date

Bond No \_\_\_\_\_

## PERFORMANCE BOND

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

### KNOW ALL MEN BY THESE PRESENTS:

That we, \_\_\_\_\_ as **Principal**,  
and \_\_\_\_\_ as **Surety**, are held and firmly bound unto  
the \_\_\_\_\_ **Housing Authority**, as **Obligee**, in the sum of  
\_\_\_\_\_ **dollars**      \$ \_\_\_\_\_

to be paid to the Obligee, for which payments, well and truly to be made, we bind ourselves, our respective heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, the said **Principal** has made a contract with the **Obligee**, bearing the date of \_\_\_\_\_ 200  
for the construction of \_\_\_\_\_ in \_\_\_\_\_ Massachusetts  
Project Title

**NOW**, the condition of this obligation is such that if the **Principal** and all Subcontractors under said contract shall well and truly keep and perform all the undertakings, covenants, agreement, terms and conditions of said contract on its part to be kept and performed during the original term of said contract and any extensions thereof that may be granted by the Obligee, with or without notice to the **Surety**, and during the life and any guarantee required under the contract, and shall also well and truly keep and perform all the undertakings, covenants, agreements, terms and conditions of any and all duly authorized modifications, alterations changes or additions to said contract that may hereafter be made, notice to the **Surety** of such modifications, alterations, changes or additions being hereby waived, then this obligation shall become null and void; otherwise, it shall remain in full force and virtue.

**IN THE EVENT**, that the contract is abandoned by the **Principal**, or in the event that the Obligee, under the provisions of Article 19 of the General Conditions of said contract terminates the employment of the **Principal** or the authority of the **Principal** to continue the work, said **Surety** hereby further agrees that said **Surety** shall, if requested in writing by the Obligee, take such action as is necessary to complete said contract.

**IN WITNESS WHEREOF**, the **Principal** and **Surety** have hereunto set their hands and seals this:

\_\_\_\_\_ Day of \_\_\_\_\_ 200 \_\_\_\_

**PRINCIPAL**

**SURETY**

By: \_\_\_\_\_

By: \_\_\_\_\_

SEAL

ATTORNEY-IN FACT

ATTEST: \_\_\_\_\_

ATTEST \_\_\_\_\_

The rate for this bond is \_\_\_\_\_ % for the first \$ \_\_\_\_\_ and \_\_\_\_\_ % for the next \$ \_\_\_\_\_

The total premium for this bond is \$ \_\_\_\_\_

# PAYMENT BOND

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT****KNOW ALL MEN BY THESE PRESENTS:**

That we, \_\_\_\_\_ as **Principal**,  
and \_\_\_\_\_ as **Surety**, are held and firmly bound unto  
the \_\_\_\_\_ **Housing Authority**, as **Obligee**, in the sum of  
\_\_\_\_\_ **dollars**      \$ \_\_\_\_\_

to be paid to the Obligee, for which payments, well and truly to be made, we bind ourselves, our respective heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, the said **Principal** has made a contract with the **Obligee**, bearing the date of \_\_\_\_\_ 200  
for the construction of \_\_\_\_\_ in \_\_\_\_\_ Massachusetts  
\_\_\_\_\_ Project Title

**NOW** the conditions of this obligation are such that if the **Principal** and all subcontractors under said contract shall pay for all labor performed or furnished and for all materials used or employed in said contract and in any and all duly authorized modifications, alterations, extensions of time, changes or additions to said contract that may hereafter be made, notice to the **Surety** of such modifications, alterations, extensions of time, changes or additions being hereby waived, the foregoing to include any other purposes or items set out in, and to be subject to, provisions of M.G.L. c.30 §39A, and M.G.L. c.149 §29, as amended, then this obligation shall become null and void; otherwise it shall remain in full force and virtue.

**IN WITNESS WHEREOF, THE PRINCIPAL AND SURETY HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS:**

\_\_\_\_\_ Day of \_\_\_\_\_ 200 \_\_\_\_\_

**PRINCIPAL****SURETY****By:****By:**

SEAL

ATTORNEY-IN FACT

**ATTEST:****ATTEST**

The rate for this bond is \_\_\_\_\_ % for the first \$ \_\_\_\_\_ and \_\_\_\_\_ % for the next \$ \_\_\_\_\_

The total premium for this bond is \$ \_\_\_\_\_

# SOMWBA CERTIFIED ENTERPRISE (SCE) PARTICIPATION SCHEDULE

Commonwealth of Massachusetts  
Department of Housing and Community Development

- This form must be submitted by the apparent low general bidder within five working days of receipt of bids.
- Letters of Intent from all SCEs listed must be submitted with this Participation Schedule.

## State-Aided Project

\_\_\_\_\_

LHA and Development Number

The undersigned intends to subcontract with the following firms for the listed work and dollar amounts:

Name of Company	Description of Work	MBE or WBE	Supplier or Subcontractor	Value of Participation
1 _____	_____	_____	_____	\$ _____
2 _____	_____	_____	_____	\$ _____
3 _____	_____	_____	_____	\$ _____
4 _____	_____	_____	_____	\$ _____
5 _____	_____	_____	_____	\$ _____
6 _____	_____	_____	_____	\$ _____
7 _____	_____	_____	_____	\$ _____
8 _____	_____	_____	_____	\$ _____
9 _____	_____	_____	_____	\$ _____
Dollar Value of MBE Commitment:				\$ _____
Dollar Value of WBE Commitment:				\$ _____
Total Dollar Value Commitment:				\$ _____

Date \_\_\_\_\_

\_\_\_\_\_  
Name of General Contractor

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State & Zip Code



# SOMWBA CERTIFIED ENTERPRISE LETTER OF INTENT

Commonwealth of Massachusetts  
Department of Housing and Community Development

- This form is provided for SOMWBA Certified Enterprises (SCEs) being utilized as MBEs and WBEs on this contract.
- This form must be completed by each SOMWBA Certified Enterprise and submitted by the bidder using the SCE.
- General bidders or filed sub-bidders that are SCEs may omit this form.

**TO: General Bidder**

Name \_\_\_\_\_  
Street \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Town \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
:Email \_\_\_\_\_

**FROM SOMWBA Certified Enterprise (SCE)**

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City/Town \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email \_\_\_\_\_

**RE: State-Aided Project:**

\_\_\_\_\_ Name of Housing Authority and Project Number

1. My company intends to perform work in connection with the above project as:

- ☐ an individual      ☐ a corporation      ☐ a partnership
- ☐ a joint venture with \_\_\_\_\_
- ☐ other (explain) \_\_\_\_\_

2. My company is certified by SOMWBA as a ☐ MBE ☐ WBE in the following categories:

**Warning:**

**Misrepresenting your firms SOMWBA  
certification may result in  
disqualification from this and other  
DHCD funded projects!!**

3. My company has not changed its ownership, control, or management in any ways that affect certification since obtaining SOMWBA certification

4. My company understands that if your company is awarded the contract, your company intends to enter into an agreement to perform the work described below for the price indicated. My company also understands that your company will make substitutions only as allowed by Article 15 of the General Conditions for the above project

5. My company intends to: **Brief Description of work**

This Work includes: ☐ Labor & Materials      ☐ Labor Only      ☐ Materials only

for a total amount of \_\_\_\_\_ Dollars \$ \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature of SCE

\_\_\_\_\_  
Name and Title

**Please advise DHCD immediately if either party attempts to renegotiate this agreement**